

New-York Daily Tribune
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NEWS OF THE DAY.

FOREIGN NEWS.

The steamship Bremen, from Southampton, Jan. 31, arrived here yesterday, bringing three days' late news.

The French Government, laid, on Jan. 29, an official Yellow Book, containing the diplomatic correspondence of the French Government with foreign powers, on the table of the Legislative Body. The dispatches on the Mexican question are in conformity with the declarations recently made by the Emperor.

The English Government has offered a reward of \$2,500 for the capture of Stephens, Archbishop of Dublin, has strongly denounced the Fenians.

From the Mediterranean coast of Spain it is reported that some vessels bearing the Cuban colors have appeared off Valencia and given chase to Spanish coast-guarding brig. Gen. Prim and the other officers who rose in arms with him have been cited to appear for trial.

A telegram from Vienna states that negotiations for the formation of a new corps of Austrian volunteers for Mexico will soon be brought to a conclusion. The Emperor and Empress arrived at the capital of Hungary on Jan. 29, and were enthusiastically received.

The Norwegian Storting has rejected by a majority of two an amendment to the Constitution proposing annual Parliaments.

The Special Envoy sent by Louis Napoleon to Marcellino has arrived in Havana. The Imperialists in Mexico report several recent successes, but in other places, as they admit, the Liberals hold their own. The Republican Mexican Army intends to make a movement against Chihuahua.

GENERAL NEWS.

Yesterday's proceedings in the Court of General Sessions before Judge Russell were principally taken up by Assistant-District Attorney Bedford and Counselor Henry L. Clinton, in the preliminary work of selecting jurors for the trial of John Cahill, alias Carroll, for murder. Out of those impaneled six were accepted as competent to serve, and the rest were set aside. A new panel of 150 names was ordered for Monday next, when the jury will be completed and ready to commence the trial.

About 9 o'clock on Saturday morning Lieut. Col. Richard T. Whitaker, late of the 6th Kentucky Infantry, and brother of Major Gen. W. C. Whitaker, committed suicide in Shelbyville, Ky., by inflicting four or five wounds upon the region of the heart, and severing the left jugular vein and carotid artery. The deed was committed while laboring under a fit of insanity. When his body was found life was extinct.

The American Theater, No. 444 Broadway, and the City Assembly Rooms, Nos. 442 to 450, were burned yesterday. The losses will amount to about \$150,000. The Continental Hotel and Dining-Room was also injured to the value of \$15,000. Several theatrical people lost their wardrobes. The goods in the stores on the ground floor and several of the adjoining buildings were also damaged.

The Liederkreis Masque at the Academy of Music last evening was too crowded to be pleasant, but was an elaborate and brilliant and merry gathering of our German fellow-citizens, with a large representation of the soberer Anglo-Saxon element, which acted as a foil to set off the superior cheerfulness and good nature of our Teutonic brothers in their mad revels in living places.

Gen. Sweeney and Col. Roberts arrived in Nashville on Wednesday night from Louisville. They were serenaded during the evening by a band of music. Last night they were to address the Fenian Brotherhood at the Old Theater. Preparations were made to extend them an enthusiastic reception. The proceeds of the sale of tickets would be applied to the purchase of arms.

Another case of suffocation by gas has occurred in Chicago. Two returned soldiers, named Harding and Jewsbury, occupied the same room in a hotel on the night of the 10th inst., and on retiring blew out the gas. The next morning Harding was found dead and Jewsbury nearly so; the latter, however, revived on the application of restoratives.

A terrible tragedy occurred in Rockport, near Cleveland, Ohio, last week. Oden, a market gardener, attacked his wife with an axe after they had retired to their room for the night and literally hacked her to pieces. He then fled from the house, carrying the axe with him, to a pond, cut a hole in the ice and plunged in, ending his wretched life.

A convention of the soldiers of Indiana was held at Indianapolis yesterday, and permanently organized the Indiana State Soldiers' Association with Gen. Nathan Kimball as President. Resolutions favoring the equalization of bounty, and the establishment of a Soldiers' and Seamen's Home in Indiana were adopted.

As Dr. Joseph H. Levering was entering his residence between Whitehall and Rosemont Stations, on the Pennsylvania Railroad, on the evening of the 10th inst., he was fired at by some person unknown and fell lifeless to the ground. No explanation has yet been given of the dastardly act.

Mary Sheridan, a girl of 15, met a terrible death in the foundry and machine-shop of Sanford, Nassau & Co., at Fulton, N. Y., on the 10th inst., by falling upon shafting in revolution. Her body was completely denuded, terribly mangled, and dropped into a canal 10 or 12 feet below.

The Cincinnati train on the Erie Railway, due in Jersey City at 4 p. m. yesterday, struck a wagon loaded with timber which was crossing the track near Port Jervis, instantly killing the driver of the team. The engine was considerably damaged, and one end of the baggage-car was stove in, but no one on the train was injured.

A Fenian meeting was held last evening at Diagonal's, Third-ave., and Fifty-ninth-st., under the auspices of the O'Mahony Circle of the Fenian Sisterhood. Addresses were made, one \$10 bond purchased, and several brothers and sisters enrolled.

The Board of Councilmen yesterday adopted a report recommending passengers on the Eighth Avenue Railroad to pay no more than 50 cents fare, and directing the Corporation Counsel to enjoin the Company from charging more than that sum.

Another pork poisoning case recently occurred in St. Louis. The wife and son of a bricklayer named Esig were taken quite ill after eating of diseased pork. They were sinking rapidly when medical aid arrived. It is thought they will recover.

W. L. Fleming is now said not to be the

"Man in Gray" who paid the mysterious visit to Senator Wade. Fleming did visit Mr. Wade on the same day, but the mysterious visit was altogether a separate affair.

In the Court of Oyer and Terminer, Zeno Burnham was yesterday convicted on a charge of holding a mock-election, and was sentenced to imprisonment in State Prison at hard labor for two years and six months.

A large reservoir in South Woodstock, Conn., for supplying water to some dozen mills, broke away on the 13th inst., carrying with it three mills, bridges, blacksmith shops, barns, etc., etc. Loss over \$100,000.

Twelve men on the 13th inst. entered the town of Liberty, Clay Co., Missouri, and killed a boy and succeeded in making their escape.

H. R. Pollard of the suppressed *Richmond Examiner*, was at the President's house yesterday, endeavoring to obtain permission to resume the publication of his paper.

A locomotive passed over the Hudson River Bridge at Albany for the first time yesterday. It was the engine Augusta Schell of the Hudson River Railroad.

Four well-known citizens of Evansville, Indiana, were drowned on Wednesday, while crossing the river in a skiff at that place.

The Hon. John Minor Botts was before the Committee on Reconstruction yesterday.

Gold was lower and closed at 137 1/2 yesterday, after selling at 139. The stock market was excited. At the Second Board Government stocks were all strong and wanted, but the extreme advance of sellers for cash, and a good many sell-off orders were offered at large discounts without takers. Money on call is 6 1/2 per cent, with occasional loans at 5 per cent. In commercial bills no new features. Best at 3 per cent. In gold at 8 1/2, and fair at 10 1/2 per cent.

CONGRESS.

SENATE.
Feb. 15. The bill to reimburse Missouri for money expended during the war, was reported from Committee with an appropriation of \$6,775,000. A bill was introduced and referred, extending for 10 years an act granting land to Arkansas and Missouri for railroad purposes. A joint resolution of the Ohio Legislature against the assumption of the State war debt by the General Government, was presented and referred. Petitions were presented from the colored people of Arkansas for political equality with the whites; for equal rights and the abolition of color distinctions in the army; and for an increase of officers' pay. A protest was presented from the colored delegation that recently addressed the President, against the pending Constitutional Amendment. A bill was reported for a bridge over the Mississippi at St. Louis. Mr. Wilson wished to call up the Army bill, and Mr. Stewart the bill for the admission of Colorado, and after considerable discussion, the former was taken up, but the morning hour expired, and the debate on the Constitutional Amendment was resumed by Messrs. Williams, Stewart, and Guthrie. The subject was postponed, and the bill to punish kidnapping by fine and imprisonment, and the bill to relinquish title to certain lands in San Francisco, were passed. After an executive session the Senate adjourned.

HOUSE.
The Post-Office Appropriation bill was reported from committee, and made the special order for next Thursday. Petitions were presented from the photographers for an amendment of the revenue laws, and from James Hamilton and others for protection to American industry. The bill to permit the sale of stamps, &c., on commission, was debated, and postponed for two weeks. The bill to allow the sale of stamped envelopes at the value of the stamps, and making various other changes in the postal laws, was also postponed for two weeks. The House then went into Committee of the Whole on the Miscellaneous Appropriation bill which failed at the last session. Mr. Stevens explained why an appropriation for the White House was necessary. Amendments were adopted to remove the huckster's stands in the halls and corridors of the Capitol, and directing American carpets to be bought for Government use. The Committee rose, and the House took a recess till 7 p. m. In the evening session speeches were delivered by Messrs. Newell, Strouse, and DeWitt, and the House adjourned.

LEGISLATURE.

SENATE.
The Senate yesterday had another discussion of the Health Bill, as amended by the Assembly. Mr. Folger moved to non-concur in the amendments. Speeches in favor of the original Senate bill and against the amendment were made by Messrs. La Bar, Folger, Pearson, Sessions, Andrews, White, and others, and in favor of the amendments by Messrs. Low, O'Donnell, and others. After a protracted session, the Assembly bill, on motion of Mr. Folger, was non-concurred in by a vote of 19 to 11.

ASSEMBLY.
The Assembly passed the annual appropriation bill. The act of the Mayor and Community of New-York relative to contracts was confirmed, and the bill to pay the principal and interest on the canal debt, and to exempt the Soldier's Home from taxation, were passed. The bill to incorporate the American Museum Company was lost.

The Hon. Benj. F. Manierre of our city has been nominated for Police Commissioner by the Union members of the Legislature. We presume there is no doubt of his election. He will prove a faithful and efficient officer.

Senator Guthrie was kind enough to explain yesterday that the Chicago Convention only declared the war a failure "up to that time." Perhaps, but the war declared the Chicago Convention a failure up to this time—and for all future time.

The Senate of our State yesterday rejected—19 to 11—the Assembly's amendments to the Health Bill. We feel confident that the difference between the two Houses will be reconciled, and in that faith refrain from remarks that might embarrass rather than promote that most desirable consummation.

Mr. Trumbull yesterday presented to the Senate a petition for the abolition of color distinctions in the army. We trust this petition will be kept in mind when the military bill is up for discussion. That bill prohibits the promotion of colored soldiers from the ranks, and establishes a military aristocracy of color. Such an exclusion is a base concession to pro-Slavery fanaticism, and if that bill, or any army bill, is to be passed, we hope to see the same chances for promotion opened to colored soldiers which white soldiers enjoy.

The Senate passed yesterday a bill to punish kidnapping by fine of from \$500 to \$5,000, or imprisonment not exceeding five years, or both. A vessel transporting kidnapped persons is forfeited. This act is based on information that the slave trade had sprung up between certain ports of the Rebel States and Cuba. That such a trade is carried on at this moment has been reported, but we are at a loss to know why Congress should reduce the penalty on this crime. We have seen a slave-trader hanged in New-York for intending a voyage to Africa. Is his guilt less because his voyage is shorter?

The English papers received by the Bremen, bring some of the latest dispatches from Mr. Drouyn de Lhuys, the Foreign Minister of France, on the Mexican question. They do not shed much additional light on the subject, as the views of the French Government were, on the whole, well known. Mr. Drouyn de Lhuys declines any responsibility on the part of France for any act that may be committed by the Government of Maximilian; yet he expresses his private opinion that the measures of the Emperor Maximilian (concerning the colonization of negroes and the Iturbide family) had not the character attributed to them.

As regards the withdrawal of the French troops, the declarations of the Minister are more vague and indefinite than those recently made in the Imperial speech.

A dispatch from Washington says that a "very important communication from an influential quarter in New-York" has been received there, recommending St. John's-square as a proper site for the new Post-Office. The "quarter," we suspect, whence such a suggestion comes, must be in the neighborhood of St. John's-square itself. Leaving out that neighborhood, a unanimous vote of the whole city would probably be cast against such a proposition. A more incongruous site for a Post-Office could not be picked out this side of Central Park.

The bill to allow Rebels who won't take the oath five per cent commission on all the postage stamps they can sell in Dixie, got postponed in the House, yesterday, for two weeks. When it comes up again, we hope somebody will call for the reading of the reports of the special agents, published some time ago. Those reports showed that postmasters at the South declined the oath because public opinion made loyalty a badge of disgrace.

The steamers Winoski and Algonquin returned from their 900 mile race last evening. The Algonquin was so thoroughly beaten that it was thought not worth while to run the whole distance. An interesting report of the run of both vessels will be found in another column.

RESTORATION.

The *Daily News*, exulting over the refusal of reconstructed Georgia to elect the Hon. Joshua Hill to the Senate, says:

"Never can he represent there, or elsewhere, the brave and gallant men of Georgia. They know better than to intrust the honor of their dead, and the interests of the living, to such a he. Men do not trust those who have been false to them in the hour of danger and of darkness. The Southern people never will, living in their midst during the dark and stormy days of their grand struggle, prayed, or sighed at least, for the success of the foe, and for the ruin and desolation of the homes and temples and fields of the South, and for that fearful oppression beneath which these people are now staggering and groaning."

The same issue of *The News* has an article by "Omega," accounting for the overthrow of the Confederacy by the assumption that it never had more than 300,000 soldiers, while 450,000 Southerners, including 100,000 Blacks, fought on the side of the Union. He adds:

"Thus we have the Confederacy with 300,000 faithful State rights soldiers contending against about 450,000 of its own people, as well as against an army of 600,000 Northern men and foreigners, better armed, equipped and supplied than any army which has ever entered the field, and a navy, in military calculation, equivalent to an army of 1,000,000 of men."

"The Federal steamer could penetrate almost to the center of every Confederate State, passing entirely through some of them. The Federal armies consumed Confederate supplies, broke their lines of communication, and violating all the laws of honorable war and of humanity, made indiscriminate depredations of all the fertile habitations everywhere, robbing the unarmed and inoffensive of every article of property, of every mouthful of food; destroying what could not be consumed or carried away; stimulating the slaves to insurrection, rapine and murder. To some of these outrages did the Confederates resort, &c., &c."

"A Tarquin may triumph over a Lærtæus, but still he is none the less a cheat, and his victory still is no triumph of virtue."

"We cannot a policy be adopted the tendency of which shall be to heal our wounds by first inflicting, if possible, to leave no scar behind? Do we err in supposing the people incline to this policy, and detest the Radical treason which seeks to make these wounds running sores?"

"If President Johnson has the nerve, he certainly has the power, to scourge these Radical hounds to their kennels, and the general amen of the people. Would that he could feel the truth of this, and over that salutary policy which would alike restore peace and exalt his name in history."

"Omega" seems to have got things a little "mixed." He evidently labors under the delusion that Andrew Johnson was elected Vice-President on the same ticket with Jeff. Davis; not with Abraham Lincoln.

THE ARMY BILL.

Before Congress votes an increase of our regular army to seventy-odd regiments, costing at least \$50,000,000 per annum, we hope some will attempt to answer our objection that there will be no such Army—only the official skeleton of it—wherein there will be about as many officers as soldiers.

Understand, then, that we object to an increase of our infantry regiments to fifty and our cavalry to ten, because the men will not and cannot be enlisted to fill those regiments—that the intent is to make good places for officers who will have no commands, and who will divide their time mainly between Washington, Saratoga and Newport, living in idleness and luxury on an already overtaxed people. Let Congress ascertain whether the regiments already authorized are or are not full before they create any more. If we cannot fill a few regiments, when we have just mastered out nearly a million men, we surely are not likely to fill twice the number after the taste for War has subsided, and our people have had—as we trust they may have—generations of profound peace.

The *Evening Post* sees fit to say that "The idea is prevalent, we know, that by denying Canada a continuance of the benefits accruing from the Reciprocity treaty we shall force her people into and towards 'radical' opinions, some of the sort, and the advocacy of this method of accelerating absorption."

—We assure *The Post* that we are now anxious to hurry the incorporation of the Canada with our Union. Let them take their time. But we protest against bribing them to keep out of it, as is done by the misnamed Reciprocity now at its last gasp. It is not compatible with our many treaties with other Powers whereby we pledge them commercial advantage equal to those we accord to "the most favored nations." Justice to all—partiality to none, is the essence of a true international policy.

When the Canadians desire a more intimate and fraternal relation with us, we stand ready to welcome and respond to their overture. So long as they choose to be dependencies of a European monarchy, we shall respect their choice and treat them accordingly.

MARKETING AGAIN.

Should the Hon. Mr. Lyons, Democratic member of the Assembly, from this city, or any other honorable member from anywhere else, arise in his place at Albany and offer a bill proposing that from and after the passage thereof it should not be lawful for any person or persons, not residents of this State, to have or to hold any store, warehouse, shop or any other place of business whatever in this city, such proposition, if not received with shouts of laughter, would certainly suggest to the minds of honorable members that the honorable member making it had been entirely misunderstood by his constituents when they assumed that he had a talent for legislation. Or if the violent supposition were indulged in that the honorable member really knew what he was about, and really meant to prohibit by law any man from doing business of any sort in this city, whose legal residence was not in the State, the conclusion would probably be that if he was not a fool, that then he was—something else; for such a proposition must inevitably be accepted as very foolish if not dishonest, and very dishonest if not foolish.

There are certainly thousands of men engaged in business here, whose residences are beyond the borders of the State; merchants living across the river in New-Jersey; manufacturers whose legal homes are in New-England; owners of mines who belong to Pennsylvania; dealers in produce who come from the West; and each and all of these bring their capital, their merchandise and manufactured goods, their coal and their iron, their corn, their wheat and their pork to the great national market. And it is partly because they do so that this is a great city—the "head center" of American trade. Numerous as its resident population is, there are a thousand reasons, economical, commercial and social, why many who come and stay here much of the time to traffic should not make it a permanent residence. Perhaps it is desirable that they should often make this their home, but, as they do not choose, the next best thing is that they should make it the headquarters of their business, and have among us shops and stores, and warehouses, and counting-rooms filling to overflow the great reservoir of trade, the channels whereof flow out to the utmost parts of the earth. The legislation that should prohibit it, would strike a fatal blow to the prosperity of New-York.

The legislation that would prohibit it even in part, aims a serious blow at that prosperity. The Bill we alluded to, two days ago, which forbids non-residents from having stands or stalls in any of the city markets, is of this character. It takes a great deal of food to supply the wants of eight hundred thousand people; the more abundant it is the cheaper, and the cheaper it is the better able are we to feed and keep in a healthy and happy condition the poorer class which necessarily makes so large a proportion of a great commercial city like this. We should encourage producers to seek this market, not discourage them, and the greater the inducements we can hold out to them, the better for them and the better for us. The smaller the number of intermediate persons between the producer and the consumer, the cheaper and more abundant is the supply of household marketing, and it is precisely because the producer and consumer are thus brought into proximate relations that the market system of Philadelphia is so much better than ours. Any legislation that separates the farmer and the market gardener from those in daily need of their products, cheapens their price to those who produce them, enhances it to those who consume them, and injures both. Such a system is detrimental to the general prosperity of the city, and is as unwise as it would be to drive other dealers in merchandise from among us to markets where they would receive a more liberal welcome.

What we need is not that obstacles should be thrown in the way of produce coming to this market, but that inducements should be held out to agricultural and horticultural producers to seek it. The wretched buildings and still worse localities to which housekeepers must go to get their daily food, if they want it at first hands, should be changed, as we said the other day, for spacious and airy market-places near the center of population, to which country people would be encouraged to come by room enough to display and sell their produce and customers enough to buy it. The street cars would be less crowded than now on Saturdays with market-baskets; there would be less huckstering of stale and unwholesome food from wandering vendors and small retailers in corner groceries, but the poor would be the gainers in the quality and cheapness of what they buy. If the Legislature takes any action at all upon the condition of our markets, let it consider the necessities of the people and not the interests of a "Ring."

A call is out for a mass convention in Tennessee to demonstrate the perfect fitness of that State for immediate readmission. It is signed by 10 members of the Legislature. Eight of them voted against the bill to allow negro testimony in the Courts. One of them, in a speech last week, described the Congress of the United States as "a band of infamous and traitorous scoundrels, headed by Sumner and Stevens." When such men say Tennessee ought to be admitted, who will venture to say she ought not?

A Washington dispatch to an evening paper of yesterday asserts that the Military Committee of the House will probably agree to-day to the bill establishing the grade of General in the Army. We have seen at least six such dispatches within a fortnight past, but the fulfillment waits long as the prediction. Are these

telegrams meant to manufacture opinion in favor of a measure which we have shown to be uncalled for, extravagant, and ill-timed?

KENTUCKY.

Gen. John M. Palmer, U. S. Commandant in Kentucky, has been urged by the publishers of *The Louisville Journal* to urge the restoration of the *habeas corpus* in that State. He answers that he cannot do it, and gives excellent reasons therefor, whereof these are a part:

More than 20,000 persons, who were for a longer or shorter period of time in arms for the avowed purpose of overthrowing the Government of the State of Kentucky and forcing its unwilling people into subjection to a hostile revolutionary government, have returned to the State, welcomed back to their former homes in many cases by communities that regard them as patriots and heroes. In many such communities, loyal citizens and soldiers are objects of prejudice, dislike, and often of persecution.

Courts organized under the laws of the State for the equal distribution of justice, in many instances have permitted themselves to be used as the mere instruments of the vengeance of the people of the State, and especially those who have periled their lives in its defense, is one that no Government can neglect and, at the same time, escape the imputation of ingratitude and subjecting itself to merited contempt. It is also true that up to the Government and the discharge of many public and private obligations to which they have heretofore been strangers, and yet have not under existing laws of the State, the rights of either citizens or aliens.

It is the duty of the General Government, with or without the concurrence of the State, to protect the liberty of the people, and in case of non-action on the part of the late authorities to provide them with a government which shall be adequate to the ends for which governments are ordained among men.

As, then, the State has so far altogether neglected to provide a special system of laws for its freed people, or to include them within the provisions of its general laws which define and protect the rights of all the people of the State, upon what grounds do any of her people complain of the "interference of the National Government?" I assert, with as much earnestness and with as high regard for the honor of the people of my native State as any one possesses, that the general treatment of slaves in Kentucky was humane and kind, and that the people generally recognize the fact that Slavery has ceased; but that many outrages have been committed upon negroes in many parts of the State since beyond all doubt, and after the most careful inquiries I have been unable to hear of a single instance in which the civil authorities have punished the aggressors.

Nor are the authorities of the law wholly to blame for this failure of justice, for I have seen in my post-office the White State naturally desirous to escape the ill-effects of the colored people who are of good character, of the murder of two negroes by white men, who are beyond the reach of criminal justice, because of the legal incompetency of colored persons to be witnesses in the Courts.

In addition to outrages of that kind, combinations of lawless men exist in many places to drive the colored people from the State, and to prevent them from obtaining employment. Proof from the records of all the Courts has been laid before me of these facts; still none are punished.

Such acts, I gladly confess, are condemned by the great mass of the citizens, but none demand their punishment. White men naturally desire to escape the ill-effects of the colored people who are of good character, of the murder of two negroes by white men, who are beyond the reach of criminal justice, because of the legal incompetency of colored persons to be witnesses in the Courts.

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telegrams meant to manufacture opinion in favor of a measure which we have shown to be uncalled for, extravagant, and ill-timed?

KENTUCKY.

Gen. John M. Palmer, U. S. Commandant in Kentucky, has been urged by the publishers of *The Louisville Journal* to urge the restoration of the *habeas corpus* in that State. He answers that he cannot do it, and gives excellent reasons therefor, whereof these are a part:

More than 20,000 persons, who were for a longer or shorter period of time in arms for the avowed purpose of overthrowing the Government of the State of Kentucky and forcing its unwilling people into subjection to a hostile revolutionary government, have returned to the State, welcomed back to their former homes in many cases by communities that regard them as patriots and heroes. In many such communities, loyal citizens and soldiers are objects of prejudice, dislike, and often of persecution.

Courts organized under the laws of the State for the equal distribution of justice, in many instances have permitted themselves to be used as the mere instruments of the vengeance of the people of the State, and especially those who have periled their lives in its defense, is one that no Government can neglect and, at the same time, escape the imputation of ingratitude and subjecting itself to merited contempt. It is also true that up to the Government and the discharge of many public and private obligations to which they have heretofore been strangers, and yet have not under existing laws of the State, the rights of either citizens or aliens.

It is the duty of the General Government, with or without the concurrence of the State, to protect the liberty of the people, and in case of non-action on the part of the late authorities to provide them with a government which shall be adequate to the ends for which governments are ordained among men.

As, then, the State has so far altogether neglected to provide a special system of laws for its freed people, or to include them